



**United States Department of the Interior
BUREAU OF LAND MANAGEMENT**

Palm Springs-South Coast Field Office
1201 Bird Center Drive
Palm Springs, CA 92262-8001
(760) 833-7100 Fax (760) 833-7199



*Visit us on the Internet at
www.blm.gov/ca/palmsprings/*

September 19, 2011

In Reply Refer To:
2800(P)
CACA-053059

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Southern California Edison	:	
2131 Walnut Grove Avenue	:	Right-of-Way Lease/Grant
Rosemead, California 91770	:	CACA-053059

Right-of-Way Lease/Grant CACA-053059 Issued
Rental Determined
Monitoring Determined

As approved by the Palm Springs South Coast Field Office in the Record of Decision dated July 13, 2011, titled *Record of Decision for Devers-Palo Verde No.2 Transmission Line Project*, enclosed is your copy of a right-of-way lease/grant, serial number CACA-053059 (Enclosure 1). This right-of-way lease/grant allows for the use of public land for the Devers-Palo Verde No. 2 Transmission line, beginning at Valley Substation in Romoland, CA and terminating at the Colorado River Substation (CRS) near Blythe, California. The right-of-way lease/grant was signed by the BLM on September 19, 2011.

Background:

BLM issued a ROW grant to Southern California Edison (SCE) for the Devers-Palo Verde No. 2 Transmission line (DPV2) on August 11, 1989. The DPV2 ROW grant, serialized as CACA- 17905, extended from Devers Substation in Palm Springs, CA, to the California border and continued into Arizona. The line was never constructed.

While CACA-053059 has been issued to SCE, SCE will continue to hold ROW grant CACA-17905 until such time SCE requests relinquishment of, or portions of ROW grant CACA-17905. However, BLM requests that SCE formally relinquish those portions of CACA-17905 west of CRS. SCE would then retain perpetual rights east of CRS issued under CACA-17905.

SCE has submitted rental payment for Calendar Year (CY) 2011 for ROW grant CACA-17905. Therefore, at this time SCE will remit payment for the Devers to Valley segment of the CACA-053059 transmission line for partial year 2011.

The rental for this portion of the right-of-way lease/grant is determined to be **\$6,988.72** for the period from October 1, 2011 to December 31, 2011.

The monitoring fee for this ROW is determined to be a Category 6. At present, BLM has determined that the existing account utilized for processing your ROW application, LLCAD0600000.51010000.FX0000 LVRWB09B1820, contains sufficient funds to cover initial monitoring. No further payments are required at this time, but BLM will notify you at such time when the remaining monitoring funds are needed. The monitoring is estimated at **\$74,647.00** dollars (see Enclosure 2).

Within 30 days of receipt of this decision, you have the right of appeal to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations in 43 CFR 4.400. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. Within 30 days after your appeal, you are required to provide a Statement of Reasons to the Board of Land Appeals and a copy to the Regional Solicitor's Office listed in item 3 on the form. The appellant has the burden of showing that the decision appealed is in error.

If you appeal this decision, please provide this office with a copy of your Statement of Reasons. This decision, under the provisions of 43 CFR 2800 constitutes a final decision and remains in full force and effect during an appeal unless the Secretary rules otherwise. Refer to 43 CFR 2801.10 for the requirements for filing a petition for stay.

If you wish to file a petition (request) pursuant to regulations 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10, for a stay(suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If you have any questions, please contact Allison Shaffer, Realty Specialist at (760) 833-7104.



John R. Kalish
Field Manager

Enclosures (3)
Right-of-Way Lease/Grant CACA-053059
Monitoring Financial Plan/ ROW Monitoring Fee Category Determination Form
BLM Form 1842-1

**ROW Monitoring Fee Category Determination Form
for FLPMA and MLA Rights-of-Way**

Application Serial No. CACA- 053059, CACA 52836, CACA 52682
Applicant: Southern California Edison
Address: 2131 Walnut Grove Avenue, Rosemead, CA 91770
Agent: Mark Murray
Address: see above
Location: see above

<u>Personnel Needed for Monitoring</u>	<u>Estimated Monitoring Hours</u>
Realty Specialist	200
CASO Realty	50
Biologist	200
Cultural/Paleontological Resources	200
Associate Field Manager	80
Branch Chief-Lands and Minerals	80
Law Enforcement	80
Admin	300
Field Manager	40
GIS	80
CASO Planning	20
TOTAL HOURS	1330

The appropriate Monitoring Category for this action is Category 6. The Monitoring fee for this Category is \$74,647. Monitoring fees for Categories 1-4 are non-refundable. See enclosed table for Category definitions and fee schedule.

Prepared By: Allison Shaffer
Realty Specialist
Approved By: Holly Roberts
Authorized Officer

9/19/11
Date
9/19/11
Date

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PRECEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL Within 30 days file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Secs. 4.411 and 4.413). You may state your reasons for appealing, if you desire.
2. WHERE TO FILE
NOTICE OF APPEAL Bureau of Land Management
Palm Springs-South Coast Field Office
1201 Bird Center Drive
Palm Springs, CA 92262

SOLICITOR
ALSO COPY TO Regional Solicitor
Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Room E-1712
Sacramento, CA 95825
3. STATEMENT OF REASONS Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, Suite 300, Arlington, VA 22203 (see 43 CFR Secs. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary.

SOLICITOR
ALSO COPY TO Regional Solicitor
Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Room E-1712
Sacramento, CA 95825
4. ADVERSE PARTIES Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (see 43 CFR Sec. 4.413). Service will be made upon the Associate Solicitor, Division of Energy and Resources,

Washington, D.C. 20240, instead of the Field or Regional Solicitor when appeals are taken from decisions of the Director (WO-100).

5. PROOF OF SERVICE

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, Suite 300, Arlington, VA 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Sec. 4.401(c)(2)).

Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: *A document is not filed until it is actually received in the proper office (see 43 CFR 4.401(a)).*

SUBPART 1821.2—OFFICE HOURS; TIME AND PLACE FOR FILING

Sec. 1821.2-1 *Office hours of State Offices.* (a) State Offices and the Washington Office of the Bureau of Land Management are open to the public for the filing of documents and inspection of records during the hours specified in this paragraph on Monday through Friday of each week, with the exception of those days where the office may be closed because of a national holiday or Presidential or other administrative order. The hours during which the State Offices and the Washington Office are open to the public for the filing of documents and inspection of records are from 10 a.m. to 4 p.m., standard time or daylight saving time, whichever is in effect at the city in which each office is located.

Sec. 1821.2-2(d) Any document required or permitted to be filed under the regulations of this chapter, which is received in the State Office or the Washington Office, either in the mail or by personal delivery when the office is not open to the public shall be deemed to be filed as of the day and hour the office next opens to the public.

(e) Any document required by law, regulation, or decision to be filed within a stated period, the last day of which falls on a day the State Office or the Washington Office is officially closed, shall be deemed to be timely filed if it is received in the appropriate office on the next day the office is open to the public.

* * * * *

See 43 CFR Sec. 4.21 for appeal general provisions.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY LEASE/GRANT
SERIAL NUMBER CACA 053059

1. As approved by the Record of Decision for the Devers-Palo Verde No. 2 Transmission Line Project dated July 13, 2011 a right-of-way lease/grant is hereby issued pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1761 et seq.) and the Bureau of Land Management right-of-way regulations (43 CFR Part 2800) and amendments thereto.

2. Nature of Interest: New Right-of-Way Grant, CACA-053059.

a. By this instrument, the holder:

Southern California Edison
2131 Walnut Grove Avenue
Rosemead, CA 91770

receives the right to use and occupy the following described public lands to construct, operate, maintain, and decommission a 500 kilovolt (KV) transmission line and its ancillary facilities as described in the approved Plan of Development (POD), incorporated herein:

See attached legal description and map (Exhibit A).

b. The instrument issued herein consists of a 500 kV transmission line from Colorado River Substation to Devers Substation and Devers Substation to Valley Substation and ancillary facilities of which aggregating approximately 1061.76 acres, more or less. The Temporary Use Permit granted herein contains 8.94 acres, more or less.

The temporary work space is for use and occupancy only during the construction and restoration of the disturbed lands. The temporary work space includes seven sites as identified in the final plan of development. The Temporary Use Permit will expire 3 years from the effective date of this grant.

c. This instrument shall expire on December 31, 2040 unless, prior thereto, it is relinquished, abandoned, or terminated pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. The holder is authorized to begin construction on all phases of development as identified in the approved plan of development upon issuance of this grant, unless otherwise notified by the authorized officer.

- e. This instrument may be renewed by the Authorized Officer. The holder is required to submit an application for renewal at least 120 calendar days prior to the expiration date of this instrument. The Authorized Officer will review the application for renewal to ensure the holder is complying with the terms, conditions, and stipulations of this instrument and applicable laws and regulations. If renewed, the right-of-way shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the Authorized Officer deems necessary to protect the public interest.
- f. Notwithstanding the renewal, expiration, relinquishment, abandonment, or termination of this instrument, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the renewal, expiration, relinquishment, abandonment, or termination of this authorization.
- g. The Authorized Officer retains the right of access to the lands included within the right-of-way at any time and may enter any facility on the right-of-way in accordance with 43 CFR 2805.15(a). The holder shall pay monitoring fees in accordance with 43 CFR 2805.16 for the reasonable costs incurred in the inspection and monitoring of construction, operation, maintenance, and decommissioning of the right-of-way.
- h. This instrument is issued subject to valid existing rights in accordance with 43 CFR 2805.14.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management the fair market value rental of the right-of-way, as determined by the Authorized Officer unless specifically exempted from such payment by law or regulation. Provided, however, that the rental may be adjusted by the Authorized Officer, whenever necessary, to reflect changes in fair market value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices. The rental provisions of this authorization may also be modified consistent with the provisions of any regulatory changes or pursuant to the provisions of any new or revised statutory authorities.

The rental includes an annual base rent for the acreage of the public land included in the authorization. The base rent is due and payable upon the date of issuance of this instrument and will be paid on an annual basis consistent with the regulations. The base rent will be adjusted each year based on the Implicit Price Deflator-Gross Domestic Product (IPD-GDP) index.

4. Terms and Conditions:

- a. This instrument is issued subject to the holder's compliance with all applicable laws and regulations and, in particular, with the regulations contained in Title 43 Code of Federal Regulations Part 2800, including the terms and conditions required by 43 CFR 2805.12. Failure of the holder to comply with applicable law or regulations or any terms, conditions, or stipulations of this instrument shall constitute grounds for suspension or termination thereof of this instrument in accordance with 43 CFR 2807.17 – 2807.19. The Authorized Officer may change the terms and conditions of this instrument as a result of changes in legislation, regulations, or as otherwise necessary to protect public health or safety or the environment in accordance with 43 CFR 2805.15(e).
- b. The right-of-way Stipulations (Exhibit B), attached hereto, are incorporated into and made a part of this instrument as fully and effectively as if they were set forth herein in their entirety.
- c. The holder shall perform all operations in a good and workmanlike manner, consistent with the approved Plan of Development, so as to ensure protection of the environment and the health and safety of the public. The Authorized Officer may order an immediate temporary suspension of operations, orally or in writing, in accordance with 43 CFR 2807.16 to protect public health or safety or the environment if the Authorized Officer determines that the holder has violated one or more of the terms, conditions, or stipulations of this instrument. An immediate temporary suspension order is effective until the holder receives a written Notice to Proceed from the Authorized Officer.
- d. The holder shall start construction within 12 months after issuance of the grant. The holder shall complete construction within the timeframes approved in the final Plan of Development.
- e. Failure of the holder to comply with any diligent development provision of this instrument may cause the Authorized Officer to suspend or terminate the authorization in accordance with 43 CFR 2807.17 - 2807.19. The Authorized Officer will provide the holder a written Notice of Failure to Ensure Diligent Development prior to the suspension or termination of the authorization. The holder will be provided an opportunity to correct any noncompliance in accordance with 43 CFR 2807.18 or submit a written request to the Authorized Officer for an extension of the timelines in the approved Plan of Development.
- f. Upon termination by the Authorized Officer or expiration of this instrument, all improvements shall be removed from the public lands within 18 months or otherwise disposed of as provided for in the approved Plan of Development, or as directed by the Authorized Officer.
- g. This instrument shall, at a minimum, be reviewed by the Authorized Officer at the end of the 10th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that this instrument may be reviewed at any time deemed necessary by the Authorized Officer in accordance with the regulations.
- h. This instrument may be assigned consistent with the regulations, but all assignments are subject to approval by the Authorized Officer. In addition, the qualifications of all assignees must comply with the requirements of the regulations. A partial assignment of this instrument shall not be approved if


such action would hinder the Authorized Officer's management of the authorization or the associated public lands.

- i. Upon the request of the Authorized Officer, the holder shall provide access to environmental, technical, and financial records, reports, and other information related to construction, operation, maintenance, and decommissioning of the right-of-way. Any information marked confidential or proprietary will be kept confidential to the extent allowed by law. Failure of the holder to cooperate with such request, provide data, or grant access to such records, reports, and information may, at the discretion of the Authorized Officer, result in suspension or termination of the right-of-way lease/grant in accordance with the regulations.
- j. The holder shall not initiate any construction or other surface disturbing activities as a minor change to the right-of-way or Plan of Development without prior written approval of the Authorized Officer, or his delegate. Such authorization shall be a written Change of Condition or Adjustment. Each Change of Condition/Adjustment shall authorize construction or use only as therein expressly stated and only for the particular location and use therein described. All Changes of Condition/Adjustments are subject to such terms and conditions as deemed necessary by the Authorized Officer at the time of approval. Approved changes authorize construction or use only as therein expressly stated and only for the particular location, phase, area, or use described. The Authorized Officer may, by written notice, suspend or terminate in whole or in part any change of condition/adjustment which has been approved, when in the Authorized Officer's judgment, unforeseen conditions arise which result in the approved terms and conditions being inadequate to protect the public health and safety or to protect the environment. All Conformance Requests will be documented and tracked to ensure the acreages of disturbance affected by post-authorization conformance changes remain within the limits of impacts analyzed in the EIS and approved in the ROD and ROW.

IN WITNESS WHEREOF, The undersigned agree to the terms, conditions, and stipulations of this right-of-way lease/grant.



Cecil R. House
Senior Vice President - Safety, Operations
Support & Chief Procurement Officer



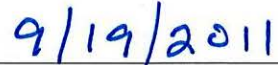
John R. Kalish

Senior Vice President
Safety, Operations Support & Chief
Procurement Officer

Field Manager



Date



Effective Date of Lease/Grant

Attachments

- Exhibit A: Legal Description and Map
- Exhibit B: Stipulations

RIGHT-OF-WAY GRANT CACA-053059

**Amendment
Attachment A
Legal Descriptions**

Colorado River Substation (CRS) to Devers Substation Transmission line

San Bernardino Meridian,

- T. 3 S., R. 5 E.,
 - Section 30, NE1/4NE1/4;
 - Section 32, N1/2NE1/4;
 - Section 34, Lots 60, 63, 68.
- T. 4 S., R. 6 E.,
 - Section 14, SW1/4, SW1/4SE1/4.
- T. 5 S., R. 7 E.,
 - Section 12, NE1/4NE1/4.
- T. 5 S., R. 9 E.,
 - Section 28, SW1/4SW1/4;
 - Section 32, NE1/4NE1/4;
 - Section 34, N1/2SW1/4, SE1/4, SW1/4NW1/4.
- T. 6 S., R. 10 E.,
 - Section 4, N1/2S1/2, S1/2NW1/4;
 - Section 6, Lots 1, 3, 4, S1/2NE1/4, excluding Fee Easement CALA 051291.
- T. 6 S., R. 11 E.,
 - Section 14, S1/2S1/2S1/2;
 - Section 18, Lots 8 through 12, inclusive, S1/2SE1/4;
 - Section 20, N1/2N1/2N1/2;
 - Section 22, N1/2N1/2N1/2;
 - Section 24, N1/2N1/2N1/2.
- T. 6 S., R. 12 E.,
 - Section 12, S1/2SE1/4SE1/4;
 - Section 13, N1/2N1/2;
 - Section 14, N1/2;
 - Section 15, S1/2S1/2N1/2, N1/2N1/2SW1/4;
 - Section 18, Lot 4, S1/2SE1/4, S1/2SE1/4SW1/4.
- T. 6 S., R. 13 E.,
 - Section 8, S1/2;
 - Section 10, Lots 7, 8, 10, 11, 12, 13, 16 and N1/2N1/2SW1/4;
 - Section 11 S1/2N1/2, unsurveyed;
 - Section 12 N1/2, unsurveyed;
 - Section 18, Lot 1.
- T. 6 S., R. 14 E.,
 - Section 2, NW1/4NW1/4, unsurveyed;
 - Section 3, N1/2NE1/4, unsurveyed;
 - Section 4, Lot 1 in the NE1/4, N1/2N1/2SW1/4;

Section 5, S1/2, excluding land patent 790933;
Section 6, Lot 1 in the SW1/4, S1/2SE1/4;
Section 7, Lots 1 and 2 in the NW1/4, NW1/4NE1/4.

T. 5 S., R. 15 E.,

Section 32, S1/2N1/2, N1/2S1/2;
Section 33, S1/2N1/2;
Section 34, S1/2N1/2;
Section 35, Lots 2, 3, 4, S1/2S1/2NE1/4NW1/4, N1/2S1/2NW1/4.

T. 5 S., R. 16 E., Section 31, Lots 3 to 6, inclusive;

Section 32, Lot 1, NW1/4NE1/4, S1/2NE1/4, NW1/4NW1/4;
Section 33, S1/2NW1/4, NE1/4SW1/4, N1/2SE1/4, SE1/4NE1/4;
Section 34, SW1/4, NW1/4, S1/2SE1/4;
Section 35, SW1/4SW1/4.

T. 6 S., R. 16 E.,

Section 1, Lot 1 in the NE1/4, Lot 1 in the NW1/4, NE1/4NE1/4SW1/4, N1/2SE1/4;
Section 2, Lot 1 and 2 in the NE1/4 and Lot 2 in the NW1/4;
Section 3, Lot 3.

T. 6 S., R. 17 E.,

Section 5, SW1/4SW1/4;
Section 6, Lots 1 and 2 in the SW1/4, S1/2SE1/4;
Section 7, NE1/4NE1/4NE1/4;
Section 8, N1/2N1/2, SE1/4NE1/4;
Section 9, S1/2NW1/4, SW1/4NE1/4, N1/2SE1/4, SE1/4SE1/4;
Section 10, S1/2SW1/4, NW1/4SW1/4;
Section 14, SW1/4NW1/4, SE1/4SW1/4, N1/2SW1/4, S1/2SE1/4, NW1/4SE1/4;
Section 15, NE1/4NW1/4;
Section 24, NE1/4SW1/4, SW1/4NE1/4, N1/2SE1/4, SE1/4SE1/4.

T. 6 S., R. 18 E.,

Section 19, Lots 1 and 2 in the SW1/4;
Section 29, SE1/4SW1/4, N1/2SW1/4, excluding patent 04670048, SW1/4SE1/4,
SW1/4SE1/4SE1/4;
Section 30, Lots 1 and 2 in the NW1/4, S1/2NE1/4, NW1/4NE1/4, NE1/4SE1/4;
Section 32, N1/2NE1/4;
Section 33, S1/2NW1/4, NW1/4NW1/4, NE1/4SW1/4, SE1/4SE1/4;
Section 34, SW1/4SW1/4.

T. 7 S., R. 18 E.,

Section 2, Lot 2 in the NE1/4 and Lot 2 in the NW1/4;
Section 3, Lot 2 in the NE1/4 and Lot 2 in the NW1/4.

T. 7 S., R. 19 E.,

Section 1, Lot 1 in the NW1/4;
Section 2, Lot 1 in the NW1/4 and Lot 1 in the NE1/4;
Section 3, Lot 1 in the NW1/4 and Lot 1 in the NE1/4;
Section 4, Lot 1 in the NE1/4 and Lots 1 and 2 in the NW1/4;

Section 6, Lots 1 and 2 in the NE1/4 and Lot 2 in the NW1/4.
T. 7 S., R. 20 E.,
Section 1, N1/2SW1/4;
Section 2, N1/2SE1/4;
Section 3, N1/2S1/2;
Section 4, N1/2S1/2;
Section 5, W1/2 of Lot 1 in the NW1/4, NW1/4SW1/4, N1/2SE1/4;
Section 6, Lot 1 in the SW1/4, Lot 1 in the NW1/4, Lot 1 in the NE1/4, N1/2N1/2SE1/4.
T. 7 S., R. 21 E.,
Section 7, Lots 3 through 6, inclusive, Lots 10 and 11, N1/2NE1/4;
Section 8, W1/2.

Containing: 786.30 Acres (49.9 miles X 130ft) more or less

California Series Capacitor

San Bernardino Meridian,
T. 6 S., R. 14 E.,
Section 6, S1/2SE1/4.

Containing: .55 (75ft X 321ft) Acres more or less

Mid-Point Substation (CRS)

San Bernardino Meridian,
T. 6 S., R. 21 E.,
Section 31, Lots 17 and 18, S1/2SE1/4.
T. 7 S., R. 21 E.,
Section 6, S1/2SE1/4;
Section 7, S1/2NE1/4, SE1/4.

Containing: 233 acres (2900ft X 3500ft)

Temporary Wire Setup Sites

San Bernardino Meridian,
T. 6 S., R. 17 E.,
Section 9, S1/2SW1/4NE1/4, NE1/4NW1/4SE1/4.

Containing: 3.00 Acres more or less

Temporary Helicopter Zones

San Bernardino Meridian,
T. 6 S., R. 10 E.,
Section 6, Lot 1.
T. 6 S., R. 12 E.,
Section 15, SE1/4NW1/4.
T. 6 S., R. 13 E.,
Section 8, SE1/4NW1/4.

Containing: 4.19 Acres more or less

Devers Substation to Valley Substation Transmission line

San Bernardino Meridian,

T. 3 S., R. 1 W.,

Section 24, Lots 1, 2 and 3.

T. 4 S., R. 2 W.,

Section 22, NW1/4NW1/4.

T. 3 S., R. 3 E.,

Section 12, E1/2SE1/4SW1/4NE1/4, S1/2SE1/4NE1/4, N1/2SW1/4, NW1/4SE1/4;

Section 20, SW1/4NE1/4, NW1/4NE1/4, SE1/4NE1/4NW1/4, S1/2NW1/4,

NW1/4SW1/4.

Containing 42.95 Acres (14392 ft X 130ft) more or less

Temporary Construction Areas

San Bernardino Meridian,

T. 3 S., R. 3 E.,

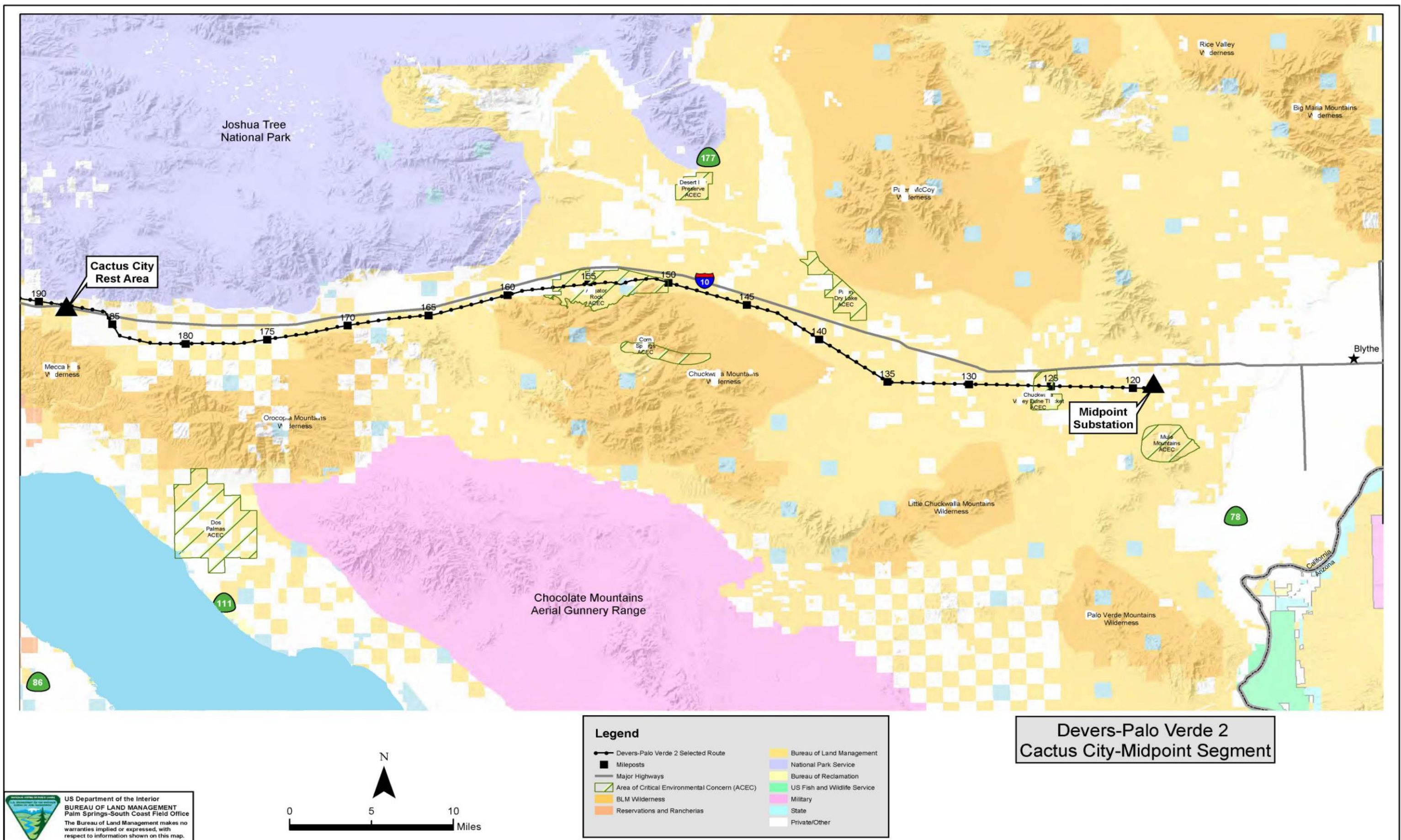
Section 16, Portion of SW1/4NW1/4NE1/4 and E1/2SE1/4NE1/4NW1/4.

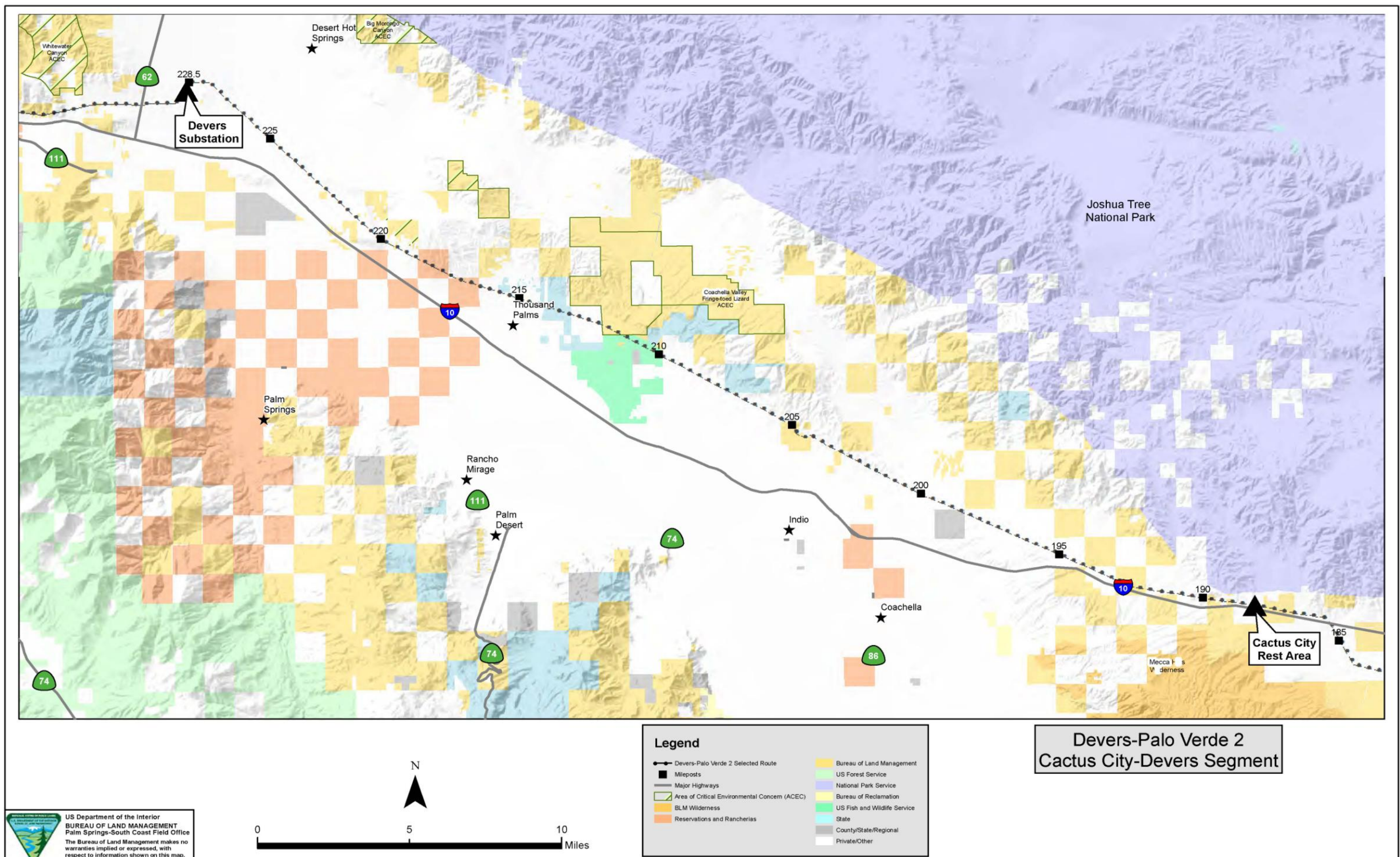
Containing .75 Acres more or less

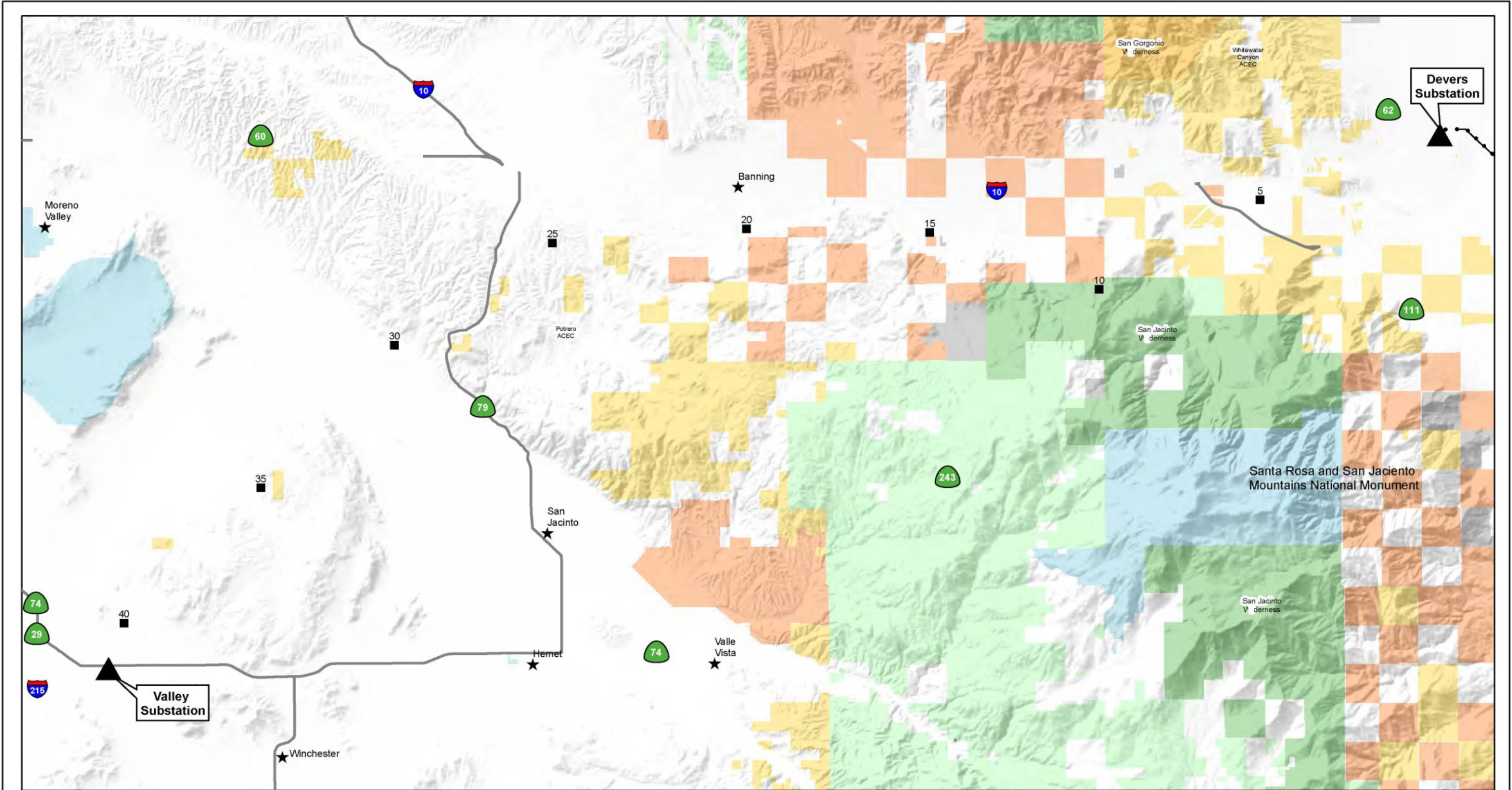
Devers to Valley Total Acreage: 43.70 +/-

Devers to CRS Total Acreage: 1027acres +/-

Total Acreage: 1070.70







Legend

Devers-Palo Verde 2 Selected Route	Reservations and Rancherias
Mileposts	Bureau of Land Management
Major Highways	US Forest Service
National Monument	State
Area of Critical Environmental Concern (ACEC)	County/State/Regional
BLM Wilderness	Private/Other
USFS Wilderness	

**Devers-Palo Verde 2
Devers-Valley Segment**

EXHIBIT B

STIPULATIONS

1. The holder shall construct, operate, and maintain the facilities, improvements, and structures within this right-of-way in strict conformity with the approved Plan of Development, as amended or supplemented by approval of the Authorized Officer. Any surface disturbing activity, additional construction, or use that is not in accord with the approved Plan of Development shall not be initiated without the prior written approval of the Authorized Officer. A copy of the complete right-of-way lease/grant, including all stipulations and approved Plan of Development, shall be made available on the right-of-way area during construction, operation, and decommissioning. Noncompliance with the above will be grounds for immediate temporary suspension of activities if it constitutes a threat to public health or safety or the environment.
2. The holder shall comply with the Biological Opinion for listed and proposed species associated with this project signed by the US Fish and Wildlife Service on January 11, 2011. Failure to comply with the requirements of the Biological Opinion shall be cause for suspension or termination of the right-of-way lease/grant.
3. The holder shall comply with the Programmatic Agreement (PA) associated with this project signed June 2010. Failure to comply with the requirements in the PA shall be cause for suspension or termination of the right-of-way lease/grant.
4. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on its behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the holder.
5. Unless otherwise agreed to in writing by the Authorized Officer, powerlines shall be constructed in accordance with standards outlined in "Suggested Practices for Raptor Protection on Powerlines", Raptor Research Foundation, Inc., 1996. The holder shall assume the burden and expense of proving that pole designs not shown in the above publication are "eagle safe." Such proof shall be provided by a raptor expert approved by the Authorized Officer. The BLM reserves the right to require modifications or additions to all powerline structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. Such modifications and/or additions shall be made by the holder without liability or expense to the United States.
6. The holder will arrange and attend preconstruction conference(s) prior to the holder's commencing construction and/or surface disturbing activities on the right-of-way or specific construction phase of the right-of-way as specified by the Authorized Officer. The holder and/or his representatives will attend this conference. The holder's contractor, or agents involved with construction and/or any surface disturbing activities associated with the right-of-way, will also attend this conference to review the stipulations of the

authorization, including the Plan of Development, as applicable. The holder shall notify the Authorized Officer of the schedule for any preconstruction conference at least 10 calendar days in advance of the preconstruction conference or such timeframe as may be required by the Notice to Proceed.

7. The holder shall designate a representative who shall have the authority to act upon and to implement instructions from the Authorized Officer. The holder's representative shall be available for communication with the Authorized Officer within a reasonable time when construction or other surface disturbing activities are underway.
8. The holder shall protect all survey markers found within the right-of-way. Survey markers include, but are not limited to, Public Land Survey System line and corner markers, other property boundary line and corner markers, and horizontal and vertical geodetic monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the Authorized Officer and the respective installing authority if known. Where any of the above survey markers are obliterated or disturbed during operations, the Authorized Officer will determine how the marker is to be restored. The holder will be instructed to secure the services of a registered land surveyor or informed that an official survey will be executed by the Bureau of Land Management (BLM). All surveying activities will be in conformance with the Manual of Surveying Instructions and appropriate State laws and regulations. Surveys by registered land surveyors will be examined by the Authorized Officer and the BLM State Office Chief Cadastral Surveyor for conformance with the Manual of Surveying Instructions and State laws and regulations before being filed in the appropriate State or county offices of record. The holder shall be responsible for all administrative and survey costs.
9. Use of pesticides and herbicides shall comply with all applicable Federal and State laws. Pesticides and herbicides shall be used only in accordance with their registered uses within limitations imposed by the Secretary of the Interior. Prior to the use of the pesticides, the holder shall obtain from the Authorized Officer, written approval of a Pesticide Use Proposal Plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, locations of storage and disposal of containers, and any other information deemed necessary by the Authorized Officer.
10. Only those chemicals (pesticides and herbicides) listed on the BLM approved label list are authorized for use on public lands. A Pesticide Use Proposal must be submitted for each chemical used, and it cannot be used until approval has been obtained in writing from the Authorized Officer. The proposal needs to identify any surfactants or dyes used in the spraying operation. Applicator(s) of chemicals used must have completed pesticide certification training and have a current up to date Certified Pesticide Applicator's License. Pesticide and herbicide application records for the areas and acres treated must be submitted to the Authorized Officer each year. This includes the following:

- Brand or Product name
- EPA registration number
- Total amount applied (use rate #A.I./acre)
- Date of application
- Location of application
- Size of area treated

Method of treatment (air/ground)
Name of applicator
Certification number and dates
Costs to treatment
Amount of surfactants or dyes used in spraying operation

The record information must be recorded no later than 14 calendar days following the pesticide or herbicide application and must be maintained for ten years.

11. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. 'Waste' means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment. A litter policing program shall be implemented by the holder which covers all roads and sites associated with the right-of-way.
12. The holder shall comply with all applicable Federal, State, and local laws and regulations, existing or hereafter enacted or promulgated, with regard to any hazardous material, as defined by 43 CFR 2801.5 that will be used, produced, or transported on or within the right-of-way, or used in the construction, operation, maintenance, or decommissioning of the project or any of its facilities. "The holder agrees in accordance with 43 CFR 2807.12(e) to fully indemnify the United States against any liability arising from the release of any hazardous material on *or near the right-of-way in connection with the holder's use and occupancy of the right-of-way, whether or not the release is authorized under the grant.* This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
13. Within 120 calendar days of completion of construction, the holder will submit to the Authorized Officer as-built drawings and a certification of construction verifying that the facility has been constructed in accordance with the design, plans, specifications, and applicable laws and regulations.
14. The holder will be liable for all fire suppression costs resulting from fires caused during construction, operations, or decommissioning. The holder shall comply with all guidelines and restrictions imposed by agency fire control officials.
15. The holder may be required to fund, in accordance with 43 CFR 2805.16 a third party Compliance and Inspection Program as deemed necessary by the Authorized Officer to ensure compliance with the terms, conditions, and stipulations of this right-of-way lease/grant and applicable laws and regulations.
16. Bald and/or golden eagles may now or hereafter be found to utilize the project area. The BLM will not issue a notice to proceed for any project that is likely to result in take of bald and/or golden eagles until the applicant completes its obligation under applicable requirements of the Bald and Golden Eagle Protection Act (Eagle Act), including completion of any required procedure for coordination with the FWS or any required permit. The BLM hereby notifies the applicant that compliance with the Eagle Act is a dynamic and adaptable process which may require the applicant to conduct further analysis and mitigation

following assessment of operational impacts. Any additional analysis or mitigation required to comply with the Eagle Act will be developed with the FWS and coordinated with the BLM.

17. The holder shall comply with the Mitigation Monitoring, Compliance, and Reporting Program for the project.
18. The grant holder shall construct and utilize common use and ancillary facilities where the authorized officer deems it necessary. The grant holder shall not charge for the use of the lands made subject to such additional right-of-way grants.
19. Upon discovery of human remains in California, all work in the area must cease immediately. Nothing is to be disturbed and the area is to be secured. The County Coroner's Office of the county where the suspected remains were located must be called. The appropriate land manager/owner or the site shall also be called and informed of the discovery.

If the remains are located on federal lands, federal land managers/federal law enforcement/federal archaeologist are to be informed as well because of complementary jurisdiction issues. It is very important that the suspected remains and the area around them remain undisturbed and the proper authorities called to the scene as soon as possible as it could be a crime scene.

The Coroner will determine if the bones are historic/archaeological or modern.

Modern Remains

If the Coroner's Office determines the remains are of modern origin, the appropriate law enforcement officials will be called by the Coroner and conduct the required procedures. Work will not resume until law enforcement has released the area.

Archaeological Remains

If the remains are determined to be archaeological in origin and there is no legal question, the protocol changes depending on whether the discovery site is located on federally or non-federally owned/managed lands.

After the Coroner has determined the remains are archaeological or historic and there is no legal question, the appropriate Field Office Archaeologist must be called. The archaeologist will initiate the proper procedures under ARPA and/or American Graves Protection and Repatriation Act of 1990 (NAGPRA). If the remains can be determined to be Native American, the steps as outlined in NAGPRA, 43 CFR 10.6 Inadvertent discoveries, must be followed.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY NOTICE TO PROCEED

Right-of-Way or Temporary Use Permit (TUP) Serial Number
CACA 53059

Date 09/19/2011	Issuing Office PSSCFO
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Right-of-Way or TUP name
Devers-Palo Verde No. 2 Transmission Project

Certified/Registered Mail-Return Receipt Requested

INSTRUCTIONS — Use Certified or Registered Mail or hand deliver. Send or give original to Holder. Distribute other copies as indicated after receipt date.

Holder: Southern California Edison

In accordance with the terms and conditions of the above referenced right-of-way grant or TUP you are hereby authorized to proceed with the activities noted below in the locations specified. Map(s) are attached. ☐ Yes ☒ No

Activity	Location
Construction of the 500 kV Devers to Palo Verde No. 2 Transmission Line, subject to all terms and conditions as specified in Right-of-Way Grant CACA 53059 and in accordance with the final Plan of Development submitted in August 2011.	See ROW Grant CACA 53059 for a full legal description of the project and maps.

Authorized officer is:

John R. Kalish

(Name)

Field Manager

(Title)

Onsite inspection and compliance of the Right-of-Way or TUP stipulations will be conducted by the authorized officer's representative.

Holly Roberts

(Name of Authorized Officer's Representative)

760.833.7149

(Office Phone Number)

Holly R. Roberts
(Authorized Officer's or Representative's Signature)

1201 Bird Center Drive, Palm Springs, CA 92262

(Office, Street Address, City, State, Zip)

760.413.8922

(Cell Phone Number)

9/19/2011
(Date)

Holders Acknowledgement when notice is delivered in person.

Laura L. Verdugo
(Signature of Recipient)

Laura L. Verdugo
(Name of Recipient)

Southern California Edison
(Firm Name)

9/19/11
(Date)

☒ HOLDER ☐ CASE FILE